

**BEFORE THE
FEDERAL ELECTION COMMISSION**

American Democracy Legal Fund
455 Massachusetts Avenue, NW
Washington, D.C. 20001

Complainant,

v.

Richard M. Burr
P.O. Box 5928
Winston-Salem, NC 27113

The Richard Burr Committee
Timothy W. Gupton, Treasurer, in his official capacity
P.O. Box 5928
Winston-Salem, NC 27113

Joshua David Hawley
150 Long Road, Suite 50
Chesterfield, MO 63005

Josh Hawley for Senate
Salvatore Purpura, Treasurer, in his official capacity
150 Long Road, Suite 50
Chesterfield, MO 63005

Matt Rosendale
P.O. Box 4907
Helena, MT 59604

Matt Rosendale for Montana
Errol Galt, Treasurer, in his official capacity
P.O. Box 4907
Helena, MT 59604

National Rifle Association Political Victory Fund
Robert G. Owens, Treasurer, in his official capacity
11250 Waples Mill Road
Fairfax, VA 22030

National Rifle Association Institute for Legislative Action
Mary Rose Adkins, Treasurer, in her official capacity

11250 Waples Mill Road
Fairfax, VA 22030

Respondents.

COMPLAINT

In accordance with 52 U.S.C. § 30109(a)(1), this complaint alleges violations of the Federal Election Campaign Act (“FECA”) and Federal Election Commission (“FEC”) regulations against the following: U.S. Senator Richard M. Burr; The Richard Burr Committee and its treasurer Timothy W. Gupton in his official capacity; U.S. Senator Josh Hawley; Josh Hawley for Senate and its treasurer Salvatore Purpura in his official capacity; Matt Rosendale; Matt Rosendale for Montana and its treasurer Errol Galt in his official capacity; the National Rifle Association Political Victory Fund (“NRA-PVF”) and its treasurer Robert G. Owens in his official capacity; and the National Rifle Association Institute for Legislative Action (“NRA-ILA”) and its treasurer Mary Rose Adkins in her official capacity (collectively, “Respondents”).

The Respondents clearly violated federal law and regulations when Burr, Hawley, Rosendale, and their respective campaigns for U.S. Senate worked with the National Rifle Association’s (“NRA”) political and lobbying arms to create, produce, and distribute coordinated public communications in the form of television advertisements. Each campaign disseminated television advertisements similar to the NRA’s advertisements, on the *same* networks, during the *same* weeks, during the *same* timeslots, and using the *same* media vendor to overwhelm voters with one-sided information. In fact, the *same* person authorized advertisement buys for the NRA and each respective Senate campaign. Therefore, the NRA’s political and lobbying arms made illegal in-kind contributions to the Senate campaigns of Richard Burr, Josh Hawley, and Matt Rosendale in the form of coordinated television advertisements. Consequently, the FEC should immediately investigate this violation and levy appropriate sanctions against the Respondents.

I. FACTS

Richard M. Burr is the senior U.S. Senator from North Carolina,¹ serving since January 2005. Senator Burr's principal campaign committee is The Richard Burr Committee and its treasurer is Timothy W. Gupton.² Josh Hawley is the junior U.S. Senator from Missouri,³ serving since January 2019. Senator Hawley's principal campaign committee is Josh Hawley for Senate and its treasurer is Salvatore Purpura.⁴ Matt Rosendale was a candidate for the U.S. Senate in Montana in 2018.⁵ His principal campaign committee is Matt Rosendale for Montana, and its treasurer is Errol Galt.⁶ NRA-PVF is the political arm of the National Rifle Association,⁷ and Robert G. Owens is its treasurer.⁸ NRA-ILA is the lobbying arm of the National Rifle Association, and Mary Rose Adkins is its treasurer.⁹

Acting on NRA-PVF's behalf, media vendor Red Eagle Media Group ("Red Eagle") purchased airtime in September 2016 for television advertisements targeting Deborah Ross, Richard Burr's opponent during the 2016 U.S. Senate election in North Carolina.¹⁰ The

¹ Richard M. Burr, FEC Form 2, Statement of Candidacy (Jan. 17, 2017), <http://docquery.fec.gov/pdf/291/201701170200012291/201701170200012291.pdf>.

² The Richard Burr Comm., FEC Form 1, Statement of Organization (Feb. 7, 2017), <http://docquery.fec.gov/pdf/264/201702100200071264/201702100200071264.pdf>.

³ Joshua David Hawley, FEC Form 2, Statement of Candidacy (Nov. 21, 2018), <http://docquery.fec.gov/pdf/234/201811219133807234/201811219133807234.pdf>.

⁴ Josh Hawley for Senate, FEC Form 1, Statement of Organization (Nov. 21, 2018), <http://docquery.fec.gov/cgi-bin/forms/C00652727/1291900/>.

⁵ Matt Rosendale, FEC Form 2, Statement of Candidacy (Dec. 6, 2018), <http://docquery.fec.gov/pdf/151/201812069135176151/201812069135176151.pdf>.

⁶ Matt Rosendale for Montana, FEC Form 1, Statement of Organization (Dec. 6, 2018), <http://docquery.fec.gov/cgi-bin/forms/C00548289/1299692/>.

⁷ See Nat'l Rifle Assoc. Political Victory Fund, *About PVF*, <https://www.nrapvf.org/about-pvf/> (last visited Jan. 15, 2019).

⁸ Nat'l Rifle Assoc. Political Victory Fund, FEC Form 1, Statement of Organization (Sept. 5, 2018), <http://docquery.fec.gov/cgi-bin/forms/C00053553/1260114/>.

⁹ Nat'l Rifle Assoc. Inst. for Legislative Action, *About the NRA Institute for Legislative Action*, <https://www.nraila.org/about/> (last visited Jan. 15, 2019).

¹⁰ Nat'l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between WECT and Red Eagle Media Grp. (Sept. 19, 2016) (attached as "Exhibit A") [hereinafter "WECT Red Eagle Contract 1"]; Nat'l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between WECT and Red Eagle Media Grp. (Oct. 21, 2016) (attached as "Exhibit B") [hereinafter "WECT Red Eagle Contract 2"].

advertisements aired on NBC’s Wilmington, North Carolina affiliate, WECT.¹¹ Throughout September and October 2016, National Media Research, Planning & Placement (“National Media”) also purchased airtime on behalf of Burr’s Senate campaign to air advertisements on WECT.¹² Jon Ferrell, the chief financial officer of National Media—which describes itself as a “leader in media research, planning, and placement for issue advocacy, corporate, and political campaigns”¹³—authorized the airtime buys for Red Eagle on NRA-PVF’s behalf and National Media on Burr’s behalf, signing required National Association of Broadcasters (“NAB”) agreement forms for *both* entities.¹⁴

Similarly, on September 6, 2018, American Media & Advocacy Group (“AMAG”)—a media vendor purportedly distinct from Red Eagle and National Media—purchased airtime on behalf of Josh Hawley’s Senate campaign for television advertisements.¹⁵ The advertisements aired on CBS-affiliate KOAM and FOX-affiliate KFJX, both owned by Morgan Murphy Media and located in the Pittsburg, Kansas/Joplin, Missouri media market.¹⁶ One day later, Red Eagle made an almost identical airtime buy on NRA-PVF’s behalf for television advertisements targeting Senator Claire McCaskill, Josh Hawley’s opponent during the 2018 U.S. Senate

¹¹ See WECT Red Eagle Contract 1, *supra* note 10; WECT Red Eagle Contract 2, *supra* note 10.

¹² Nat’l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between WECT and The Richard Burr Comm. (Oct. 12, 2016) (attached as “Exhibit C”) [hereinafter “WECT Burr Contract 1”]; Nat’l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between WECT and The Richard Burr Comm. (Oct. 24, 2016) (attached as “Exhibit D”) [hereinafter “WECT Burr Contract 2”]; Nat’l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between WECT and The Richard Burr Comm. (Nov. 2, 2016) (attached as “Exhibit E”) [hereinafter “WECT Burr Contract 3”].

¹³ Nat’l Media Research, Planning & Placement, *Home*, <https://www.natmedia.com/#page-top> (last visited Dec. 10, 2018).

¹⁴ See WECT Red Eagle Contract 1, *supra* note 10; WECT Red Eagle Contract 2, *supra* note 10.

¹⁵ Nat’l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between KOAM/KFJX and Am. Media & Advocacy Grp. (Sept. 6, 2018) (attached as “Exhibit F”) [hereinafter “KOAM/KFJX Hawley Contract”].

¹⁶ See *id.*

election in Missouri.¹⁷ The advertisements aired on KOAM and KFJX as well.¹⁸ As in North Carolina two years earlier, Jon Ferrell authorized the ad buys on KOAM and KFJX for both Red Eagle on NRA-PVF's behalf and AMAG on behalf of Hawley's campaign.¹⁹

On September 24, 2018, AMAG purchased airtime on Hawley's behalf for television advertisements on ABC's Kansas City, Missouri affiliate, KMBC.²⁰ Just over a week later, Red Eagle purchased airtime on NRA-PVF's behalf for anti-McCaskill advertisements on KMBC.²¹ Again, Ferrell authorized the ad buys on KMBC for both Red Eagle on NRA-PVF's behalf and AMAG on behalf of Hawley's campaign.

In Montana, Red Eagle purchased airtime on September 4, 2018 on NRA-ILA's behalf for television advertisements targeting Senator Jon Tester, Matt Rosendale's opponent during the 2018 U.S. Senate election in Montana.²² The advertisements aired on NBC's Billings, Montana affiliate KULR.²³ Just one week later, AMAG made an almost identical purchase on behalf of Matt Rosendale's Senate campaign.²⁴ Jon Ferrell also authorized the ad buys in Montana for both Red Eagle on NRA-ILA's behalf and AMAG on behalf of Rosendale's campaign.²⁵

As part of a joint investigation conducted with *Mother Jones*, *The Trace* reports that the NRA's television advertisements often ran during the same weeks, programs, and timeslots as

¹⁷ Nat'l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between KOAM/KFJX and Red Eagle Media Grp. (Sept. 7, 2018) (attached as "Exhibit G") [hereinafter "KOAM/KFJX Red Eagle Contract"].

¹⁸ *See id.*

¹⁹ *See* KOAM/KFJX Hawley Contract, *supra* note 15; KOAM/KFJX Red Eagle Contract, *supra* note 17.

²⁰ Nat'l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between KMBC and Am. Media & Advocacy Grp. (Sept. 24, 2018) (attached as "Exhibit H") [hereinafter "KMBC AMAG Contract"].

²¹ Nat'l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between KMBC and Red Eagle Media Grp. (Oct. 4, 2018) (attached as "Exhibit I") [hereinafter "KMBC Red Eagle Contract"].

²² Nat'l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between KULR and Red Eagle Media Grp. (Sept. 4, 2018) (attached as "Exhibit J") [hereinafter "KULR Red Eagle Contract"].

²³ *See id.*

²⁴ Nat'l Assoc. of Broadcasters Agreement Form for Non-Candidate/Issue Advertisements Between KULR and Am. Media & Advocacy Grp. (Sept. 11, 2018) (attached as "Exhibit K") [hereinafter "KULR AMAG Contract"].

²⁵ *See id.*; KULR Red Eagle Contract, *supra* note 22.

each Senate campaign's advertisements.²⁶ "On October 5, [2018,] for example, on KOAM's morning show, an NRA ad about the [Missouri] Senate race ran at 6:39 a.m., and a Hawley campaign ad ran five minutes later," the report states.²⁷

National Media, Red Eagle, and AMAG do not appear to be separate entities. In October 2016, a lawyer representing AMAG confirmed to *The Daily Beast* that AMAG is "affiliated with" National Media.²⁸ Further, as *Mother Jones* reports, Red Eagle is "merely an 'assumed or fictitious name' used by National Media, according to corporate records."²⁹ During the 2016 presidential election, Jon Ferrell similarly authorized airtime buys for *both* NRA-PVF and Donald J. Trump's presidential campaign in the Norfolk, Virginia media market.³⁰ Other current and former National Media employees authorized similar airtime buys in other markets for both NRA-PVF and Trump's campaign.³¹ Moreover, "[c]orporate, FEC, and FCC records for all three

²⁶ Christopher Hooks & Mike Spies, *Documents Show NRA and GOP Candidates Coordinated Ads in Key Senate Races*, THE TRACE (Jan. 11, 2019), <https://www.thetrace.org/2019/01/nra-coordinated-ad-efforts-with-gop-senate-campaigns/>.

²⁷ *Id.*

²⁸ Betsy Woodruff, *Trump's Already Part of the D.C. Swamp, Whether He Knows It or Not*, DAILY BEAST (Oct. 26, 2016 12:18 PM), <https://www.thedailybeast.com/trumps-already-part-of-the-dc-swamp-whether-he-knows-it-or-not>.

²⁹ Mike Spies, *Documents Point to Illegal Campaign Coordination Between Trump and the NRA*, MOTHER JONES (Dec. 6, 2018 1:25 PM), <https://www.motherjones.com/politics/2018/12/nra-trump-2016-campaign-coordination-political-advertising/>.

³⁰ See Contract Agreement Between WVEC and Red Eagle Media Group (Oct. 20, 2016) (in which Jon Ferrell represents, with his signature, that he is "authorized to announce the [air] time [reserved] as paid for by such person or entity [the National Rifle Association Political Victory Fund]"), <https://publicfiles.fcc.gov/api/manager/download/36a4dfac-4a15-bd8f-50a6-6291721ec55c/bff0c4fb-f9dc-409a-9e26-179520a335a0.pdf>; Contract Agreement Between WVEC and Am. Media & Advocacy Grp. (Oct. 24, 2016) (in which Ferrell represents, with his signature, that he is "authorized to announce the [air] time [reserved] as paid for by such person or entity [Donald J. Trump for President, Inc.]"), <https://publicfiles.fcc.gov/api/manager/download/7d88dd99-6d40-a4a5-0b84-2effed500f3/ae0281ea-3131-4893-809f-28c23c34bdd0.pdf>. For a general overview of NRA-PVF's coordination with Donald J. Trump and his presidential campaign, see Spies, *supra* note 29 (noting that "Ferrell's signature appeared on forms authorizing ads on stations across the country," including ad buys in Ohio and Florida for the Trump campaigns and in North Carolina and Ohio for NRA-PVF).

³¹ See Spies, *supra* note 29 (naming a number of current and former National Media employees who each have authorized ad buys for *both* NRA-PVF and the Trump campaign on behalf of Red Eagle and AMAG, respectively). One now-former National Media employee, Caroline Kowalski, "was listed as the Red Eagle contact for an NRA ad purchase in Cape Coral, Florida, and as the [American Media & Advocacy Group] contact for a Trump campaign placement at a CBS station in Philadelphia." *Id.*

entities list the addresses of 815 Slaters Lane or 817 Slaters Lane, a pair of adjacent brick buildings that share a parking lot in . . . Alexandria.”³²

II. LEGAL ARGUMENT

Under federal law, an expenditure made by any person in cooperation, consultation, or concert, with, or at the request or suggestion of, a candidate, his or her authorized political committees, or their agents, is considered an in-kind contribution to a campaign if it (1) is *paid for* by an entity other than the campaign; (2) meets certain *content* standards, including by expressly advocating the election or defeat of a clearly-identified federal candidate; and (3) meets certain *conduct* standards regarding the coordination between the entity that paid for the ad and the campaign or an agent thereof.³³ The television advertisements created, produced, and distributed by the NRA’s political and lobbying arms during the 2016 and 2018 general elections in North Carolina, Missouri, and Montana satisfy these requirements.

First, the television advertisements satisfy the *paid-for* prong of the coordinated communications standard described above. NRA-PVF’s contractual agreements with WECT in North Carolina,³⁴ KOAM/KFJX in Missouri,³⁵ KMBC in Missouri,³⁶ and NRA-ILA’s contractual agreement with KULR in Montana,³⁷ confirm that the NRA’s political and lobbying arms paid for the relevant television advertisements.

Second, the advertisements satisfy the *content* prong of the coordinated communications standard, as they were public communications broadcast close to the general election that appear to have referred to clearly-identified candidates for federal office. A public communication

³² *Id.*

³³ 52 U.S.C. § 30116(a)(7)(B)(i); 11 C.F.R. §§ 109.20(b), 109.21.

³⁴ See WECT Red Eagle Contract 1, *supra* note 10; WECT Red Eagle Contract 2, *supra* note 10.

³⁵ See KOAM/KFJX Red Eagle Contract, *supra* note 17.

³⁶ See KMBC Red Eagle Contract, *supra* note 21.

³⁷ See KULR Red Eagle Contract, *supra* note 22.

includes “a communication by means of any broadcast, cable, or satellite communication . . . or any other form of general public political advertising.”³⁸ And a public communication satisfies the content prong if, *inter alia*, it “refers to a clearly identified House or Senate candidate and is publicly distributed or otherwise publicly disseminated in the clearly identified candidate’s jurisdiction 90 days or fewer before the clearly identified candidate’s general, special, or runoff election”³⁹

NAB agreement forms signed by Jon Ferrell on behalf of the NRA indicate that the television advertisements aired within 90 days of general elections in North Carolina, Missouri, and Montana. In North Carolina, NAB agreement forms between Red Eagle, acting on the NRA’s behalf, and WECT, indicate airtime reservations for advertisements against Deborah Ross, Richard Burr’s general election opponent.⁴⁰ In Missouri, Red Eagle’s NAB agreement form with KMBC indicates an airtime buy on NRA-PVF’s behalf against Hawley’s general election opponent; Red Eagle requested station time because “Claire McCaskill sided with the left all 4 times on Supreme Court Justices.”⁴¹ And records filed in Montana confirm that Red Eagle bought television advertisements on NRA-ILA’s behalf that clearly identified Matt Rosendale’s general election opponent.⁴² Therefore, the NRA’s television advertisements clearly satisfy the content prong.

Third, the television advertisements satisfy the *conduct* prong of the coordinated communications standard, because Burr, Hawley, Rosendale, and their respective Senate campaigns were materially involved in the creation, production, and distribution of the NRA’s

³⁸ 11 C.F.R. § 100.26.

³⁹ *Id.* § 109.21(c)(4)(i).

⁴⁰ See WECT Red Eagle Contract 1, *supra* note 10; WECT Red Eagle Contract 2, *supra* note 10.

⁴¹ KMBC Red Eagle Contract, *supra* note 21.

⁴² See KULR Red Eagle Contract, *supra* note 22.

television advertisements. A public communication satisfies the conduct prong if, *inter alia*, “[a] candidate, authorized committee, or political party committee is materially involved in decisions regarding: (i) [t]he content of the communication; (ii) [t]he intended audience of the communication; (iii) [t]he means and mode of the communication; (iv) [t]he specific media outlet used for the communication; (v) [t]he timing or frequency of the communication; or (vi) [t]he size or prominence of a printed communication, or duration of a communication by means of broadcast, cable, or satellite.”⁴³

There is overwhelming evidence that Burr, Hawley, and Rosendale’s Senate campaigns were materially involved in numerous decisions regarding the creation, production, and distribution of the NRA’s television advertisements. The NRA and each campaign (i) produced advertisements with almost the *same* content (designed to benefit Republican candidates’ campaigns for the U.S. Senate); (ii) had the *same* intended audience for their advertisements (airing them during the same weeks, timeslots, and programs); (iii) used the *same* means and mode of communication (broadcast television advertisements); (iv) used the *same* media outlets (WECT in North Carolina, KOAM/KFJX and KMBC in Missouri, and KULR in Montana); (v) used the *same* timing and frequency (purchasing advertisements within days of one another and airing them during the same time periods); and (vi) used the *same* duration (airing advertisements ranging in duration from 30 to 60 seconds).

The television advertisements also satisfy the conduct prong, because the NRA employed a common, commercial vendor to create, produce, and distribute the advertisements, and

⁴³ *Id.* § 109.21(d)(2)(i)-(vi). As the Commission has explained, “[t]he factual determination of whether a candidate’s or authorized committee’s involvement is ‘material’ must be made on a case-by-case basis.” 68 Fed. Reg. 433 (2003). ‘Material involvement’ neither requires a showing of “direct causation” nor “but-for” causation; rather, the Commission intended the standard to “focus[] . . . on the nature of the information conveyed [by the candidate or her authorized committee] and its importance, degree of necessity, influence or effect of involvement by the candidate, authorized committee, political party committee, or their agents in any of the communication decisions enumerated [under the standard].” *Id.* at 434.

“place[d] the ‘common vendor’ in a position to convey information about [each] candidate’s . . . campaign plans, projects, activities, or the needs of the person paying for the communication where that information [was] material to the communication.”⁴⁴ A commercial vendor is any person who “provid[es] goods or services to a candidate or political committee whose usual and normal business involves the sale, rental, lease or provision of those goods or services.”⁴⁵

The use of a common vendor satisfies the conduct prong where: (1) the entity paying for a public communication uses a commercial vendor to create, produce, or distribute the communication;⁴⁶ (2) information material to the creation, production, or distribution of the relevant communication does not derive from a publicly available source;⁴⁷ and (3) during the 120 days prior to the purchase or public distribution of the relevant communication, the commercial vendor provides at least one ‘relevant service’ to the candidate clearly identified in the communication, his or her principal campaign committee, his or her opponent, his or her opponent’s principal campaign committee, or a political party committee.⁴⁸ A ‘relevant service’ includes, *inter alia*, the “[d]evelopment of media strategy, including the selection or purchasing of advertising slots,” the “[s]election of audiences,” and the development of “the content of a public communication.”⁴⁹

Here, the use of a common vendor satisfies the conduct prong of the coordinated communications standard. First, the NRA used a commercial vendor to create, produce, and distribute the advertisements that aired in North Carolina, Missouri, and Montana during the

⁴⁴ 68 Fed. Reg. 421, 436 (2003). *See also* 11 C.F.R. § 109.21(d)(4). Although the satisfaction of the common vendor standard cannot alone render the television advertisements ‘coordinated communications,’ evidence of material involvement here does. *See id.* § 109.21(b)(2).

⁴⁵ 11 C.F.R. § 116.1(c).

⁴⁶ *See id.* § 109.21(d)(4)(i).

⁴⁷ *See id.* § 109.21(d)(4)(ii).

⁴⁸ *See id.* § 109.21(d)(4)(iii).

⁴⁹ *Id.* § 109.21(d)(4)(ii)(A), (B), (E).

2016 and 2018 general elections. Importantly, the NRA’s commercial vendor in each of these instances—Red Eagle—is not distinct from National Media (Burr’s vendor) or AMAG (Hawley and Rosendale’s vendor). Instead, National Media, Red Eagle, and AMAG are effectively different names for the same commercial vendor. National Media, Red Eagle, and AMAG all share the same Alexandria, Virginia address. National Media employees have authorized ad buys for *both* Red Eagle and AMAG on behalf of the NRA and various candidates for Federal office. And, most glaringly, National Media’s chief financial officer Jon Ferrell authorized NAB agreement forms with television stations for Red Eagle on behalf of the NRA’s political and lobbying arms, for National Media on Burr’s behalf, *and* for AMAG on behalf of Hawley and Rosendale.

Second, there is no discernible way that information material to the creation, production, and distribution of the NRA’s advertisements—including their strategic placement alongside advertisements benefitting Burr, Hawley, and Rosendale and during the same specific programs and timeslots—would have been publicly-available information prior to the NRA’s purchase of airtime on networks in various media markets. And third, by virtue of purchasing advertisements to benefit Burr, Hawley, and Rosendale’s respective campaigns, the vendor clearly developed for these candidates and their campaigns media strategies (including the selection or purchasing of advertising slots, the selection of audiences, and the development of the content of the communications), well within the 90-day period prior to the public broadcast of the NRA’s television advertisements.

Neither NRA-PVF nor NRA-ILA maintained firewall policies with each respective Senate campaign that “prohibit[ed] the flow of information” between their purportedly distinct

media vendors, as federal regulations require.⁵⁰ Under 11 C.F.R. § 109(h)(1), respondents who share media vendors will avoid satisfying the conduct prong of the coordinated communications standard if they design and implement a firewall to prohibit the flow of information between persons “providing services for the person paying for the communication” and persons “currently or previously providing services to the candidate who is clearly identified in the communication, or the candidate’s authorized committee, [or] the candidate’s opponent” Here, since the *same* person—Jon Ferrell—authorized each of the aforementioned airtime buys, the NRA’s political and lobbying arms and Burr, Hawley, and Rosendale’s campaigns clearly *permitted* the flow of information between their entities through the common vendor they shared.

Thus, the Respondents have satisfied the conduct prong of the coordinated communications standard. And since the NRA and the Senate campaigns’ television advertisements satisfy the paid-for, content, and conduct prongs, they constitute coordinated communications and should be treated as in-kind contributions made by NRA-PVF to Richard Burr and Josh Hawley; and by NRA-ILA to Matt Rosendale.⁵¹ Consequently, as committees that make independent expenditures and accept corporate money, NRA-PVF and NRA-ILA have violated federal law by making illegal in-kind contributions to The Richard Burr Committee, Josh Hawley for Senate, and Matt Rosendale for Montana. In turn, Richard Burr, Josh Hawley,

⁵⁰ Under 11 C.F.R. § 109.21(h), “The conduct standards in paragraph (d) of this section are not met if the commercial vendor . . . or political committee has established and implemented a firewall that meets the requirements of paragraphs (h)(1) and (h)(2) of this section.” First, the firewall “must be designed and implemented to prohibit the flow of information between employees or consultants providing services for the person paying for the communication and those employees or consultants currently or previously providing services to the candidate who is clearly identified in the communication, or the candidate’s authorized committee, the candidate’s opponent, the opponent’s authorized committee, or a political party committee.” 11 C.F.R. § 109.21(h)(1). Second, the firewall “must be described in a written policy that is distributed to all relevant employees, consultants, and clients affected by the policy.” *Id.* § 109.21(h)(2).

⁵¹ *See id.* § 109.21(a)-(b).

Matt Rosendale, and their respective campaign committees violated federal law by receiving and accepting such illegal contributions.⁵²

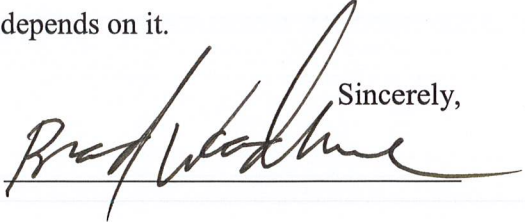
III. REQUESTED ACTION

Before the Commission is a blatant and troubling violation of numerous federal laws and regulations. The political and lobbying arms of the National Rifle Association engaged in a joint effort with three U.S. Senate candidates—Richard Burr, Josh Hawley, and Matt Rosendale—to create, produce, and distribute coordinated public communications in the form of television advertisements. For each Senate campaign, either NRA-PVF or NRA-ILA disseminated advertisements with similar messages, during the *same* timeslots, on the *same* networks, during the *same* weeks, and using the *same* vendor to overwhelm voters with one-sided information. In fact, the *same* person authorized the airtime buys for purportedly distinct entities that are nothing more than arms of the same firm: National Media Research, Planning & Participation. It is abundantly clear that here, no firewall could safeguard against unlawful coordination. The NRA's political and lobbying arms thus made illegal, in-kind contributions to each respective Senate campaign; and in turn, each Senate campaign received illegal, excessive contributions.

At its core, FECA empowers the Commission to hold candidates for federal office and political committees accountable when they disregard and violate campaign finance laws. Thus, the Commission has at its disposal the extraordinary power to enforce federal election laws and regulations. The public depends on the Commission to ensure that nobody—not even the most powerful of political committees or candidates for the U.S. Senate—is above the law. As such, we respectfully request that the Commission immediately investigates these violations and that

⁵² See 52 U.S.C. § 30125(e)(1)(B)(ii).

Respondents be enjoined from further violations and be fined the maximum amount permitted by law. The integrity of our nation's campaign finance system depends on it.

Sincerely,


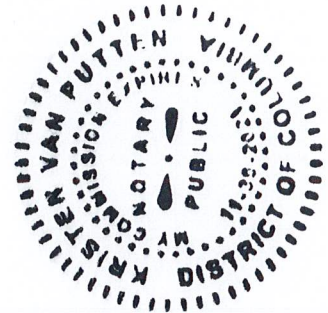
SUBSCRIBED AND SWORN to before me this 23 day of January, 2019.



Notary Public

My Commission Expires:

11-30-2021



NAB Form PB-18 Issues

AGREEMENT FORM FOR NON-CANDIDATE/ISSUE ADVERTISEMENTS

| | |
|---|--------------------------------|
| Station and Location: <i>WECT WILMINGTON NC</i> | Date: <i>9.19.16</i> |
|---|--------------------------------|

I, Red Eagle Media Group
do hereby request station time concerning the following issue:

National Rifle Association of America Political Victory Fund

ANTI - ROSS for US Senate

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|--------------|--------------|----------------|-----------------|
| See Schedule | See Schedule | See Schedule | See Schedule | See Schedule | See Schedule |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

This broadcast time will be used by: NRA-PVF

**THIS PAGE MUST BE COMPLETED FOR PROGRAMMING THAT
"COMMUNICATES A POLITICAL MATTER OF NATIONAL IMPORTANCE."
FOR ALL OTHER ISSUE ADS, PLEASE GO TO PAGE 3.**

Programming that "communicates a political matter of national importance" includes (1) references to legally qualified candidates (presidential, vice presidential or congressional); (2) any election to Federal office (e.g., any references to "our next senator", "our person in Washington" or "the President"); and (3) a national legislative issue of public importance (e.g., Affordable Care Act, revising the IRS tax code, federal gun control or any federal legislation).

Does the programming (in whole or in part) communicate "a message relating to any political matter of national importance?"
☒ Yes ☐ No

For programming that "communicates a message relating to any political matter of national importance," list the name of the legally qualified candidate(s) the programming refers to, the offices being sought, the date(s) of the election(s) and/or the issue to which the communication refers (if applicable):

Deborah Ross / US Senate / November 8

I represent that the payment for the above described broadcast time has been furnished by (name and address):

National Rifle Association of America Political Victory Fund
11250 Waples Mill Road
Fairfax, VA 22030

and you are authorized to announce the time as paid for by such person or entity (hereinafter referred to as the "sponsor").

List the chief executive officers or members of the executive committee or the board of directors below (or attach separately):

Treasurer - Mary Rose Adkins

For programming that "communicates a message relating to any political matter of national importance," attach Agreed Upon Schedule (Page 5)

TO BE COMPLETED FOR ALL ISSUE ADVERTISEMENTS

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

The Sponsor agrees to indemnify and hold harmless the station for any damages or liability, including reasonable attorney's fees, that may ensue from the broadcast of the above-requested advertisement(s). For the above-stated broadcast(s), the sponsor also agrees to prepare a script, transcript, or tape, which will be delivered to the station at least 48 before the time of the scheduled broadcasts.

TO BE SIGNED BY ISSUE ADVERTISER (SPONSOR)

9-19-16 *JR Fenell* _____
Date Signature Contact Phone Number

TO BE SIGNED BY STATION REPRESENTATIVE

☒ Accepted ☐ Accepted in Part ☐ Rejected
Mark Mendenhall MARK MENDENHALL GSM
Signature Printed Name Title

AGREED UPON SCHEDULE

For All Issue Advertisements That Communicate a Message Relating to Any Political Matter of National Importance

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|------|-------|----------------|-----------------|
| Attached | | | | | |

Attach proposed schedule with charges (if available): **\$12,745.75 NET**

AFTER AIRING OF BROADCASTS:

Attach invoices or Schedule Run Summary to this Form showing:

- (1) actual air time and charges for each spot;
- (2) the date(s), exact time(s) and reason(s) for Make-Good(s), if any; and
- (3) the amount of rebates given (identify exact date, time, class of broadcast and dollar amount for each rebate), if any.

Note: Because the FCC requires that the political file contain the actual time the rate for spots "communicating a political matter of national importance" air, that information should be included in the file as soon as possible. If that information is only generated monthly, the file should include the name of a contact person who can provide the times that and rates for specific spots aired. The FCC's online political files include a folder for "Terms and Disclosures." NAB suggests that, for stations subject to the online public file rule, the names of contact person(s) be placed in that folder.

AGREEMENT FORM FOR NON-CANDIDATE/ISSUE ADVERTISEMENTS

| | |
|---|--------------------------|
| Station and Location: WECT Wilmington, NC | Date: 10-21-16 |
|---|--------------------------|

I, Red Eagle Media Group

do hereby request station time concerning the following issue:

| |
|-------------------------------|
| ANTI - DEB ROSS FOR US SENATE |
|-------------------------------|

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|--------------|--------------|----------------|-----------------|
| See Schedule | See Schedule | See Schedule | See Schedule | See Schedule | See Schedule |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

This broadcast time will be used by: NRA-PVF - Political Victory Fund

**THIS PAGE MUST BE COMPLETED FOR PROGRAMMING THAT
"COMMUNICATES A POLITICAL MATTER OF NATIONAL IMPORTANCE."
FOR ALL OTHER ISSUE ADS, PLEASE GO TO PAGE 3.**

Programming that "communicates a political matter of national importance" includes (1) references to legally qualified candidates (presidential, vice presidential or congressional); (2) any election to Federal office (e.g., any references to "our next senator", "our person in Washington" or "the President"); and (3) a national legislative issue of public importance (e.g., Affordable Care Act, revising the IRS tax code, federal gun control or any federal legislation).

Does the programming (in whole or in part) communicate "a message relating to any political matter of national importance?"
☒ Yes ☐ No

For programming that "communicates a message relating to any political matter of national importance," list the name of the legally qualified candidate(s) the programming refers to, the offices being sought, the date(s) of the election(s) and/or the issue to which the communication refers (if applicable):

Deborah Ross
US Senate
Nov 8th, 2016

I represent that the payment for the above described broadcast time has been furnished by (name and address):

National Rifle Association of America Political Victory Fund
11250 Waples Mill Road
Fairfax, VA 22030

and you are authorized to announce the time as paid for by such person or entity (hereinafter referred to as the "sponsor").

List the chief executive officers or members of the executive committee or the board of directors below (or attach separately):

Treasurer - Mary Rose Adkins

For programming that "communicates a message relating to any political matter of national importance," attach Agreed Upon Schedule (Page 5)

TO BE COMPLETED FOR ALL ISSUE ADVERTISEMENTS

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

The Sponsor agrees to indemnify and hold harmless the station for any damages or liability, including reasonable attorney's fees, that may ensue from the broadcast of the above-requested advertisement(s). For the above-stated broadcast(s), the sponsor also agrees to prepare a script, transcript, or tape, which will be delivered to the station at least _____ before the time of the scheduled broadcasts.

TO BE SIGNED BY ISSUE ADVERTISER (SPONSOR)

10-21-16 *[Signature]* 703-683-4877
Date Signature Contact Phone Number

TO BE SIGNED BY STATION REPRESENTATIVE

☒ Accepted ☐ Accepted in Part ☐ Rejected
[Signature] MARK MENDENHALL GM
Signature Printed Name Title

AGREED UPON SCHEDULE

For All Issue Advertisements That Communicate a Message Relating to Any Political Matter of National Importance

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|------|-------|----------------|-----------------|
| Attached | | | | | |

Attach proposed schedule with charges (if available): **\$ 15,686.⁷⁵ NET**

AFTER AIRING OF BROADCASTS:

Attach invoices or Schedule Run Summary to this Form showing:

- (1) actual air time and charges for each spot;
- (2) the date(s), exact time(s) and reason(s) for Make-Good(s), if any; and
- (3) the amount of rebates given (Identify exact date, time, class of broadcast and dollar amount for each rebate), if any.

Note: Because the FCC requires that the political file contain the actual time the rate for spots "communicating a political matter of national importance" air, that information should be included in the file as soon as possible. If that information is only generated monthly, the file should include the name of a contact person who can provide the times that and rates for specific spots aired. The FCC's online political files include a folder for "Terms and Disclosures." NAB suggests that, for stations subject to the online public file rule, the names of contact person(s) be placed in that folder.

AGREEMENT FORM FOR POLITICAL CANDIDATE ADVERTISEMENTS

(check applicable box)

☒ **FEDERAL CANDIDATE**

☐ **STATE/LOCAL CANDIDATE**

To Avail Themselves Of The Lowest Unit Charge During A Political Window, Federal Candidates Must Sign The Certification On Page 3

| | |
|---|---|
| Station and Location: WECT WILMINGTON NC | Date: 10-12-16 |
|---|---|

I, National Media Research, Planning, and Placement,
being/on behalf of: The Richard Burr Committee,
a legally qualified candidate of the US Senate
political party for the office of: Republican
in the North Carolina Primary
election to be held on: March 15th, 2016

do hereby request station time as follows:

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|--------------|--------------|----------------|-----------------|
| See Schedule | See Schedule | See Schedule | See Schedule | See Schedule | See Schedule |
| | | | | | |

Attach proposed schedule with charges (if available): \$2,962.²⁵ NET

I represent that the payment for the above described broadcast time has been furnished by:

The Richard Burr Committee

and you are authorized to announce the time as paid for by such person or entity. I represent that this person or entity is either a legally qualified candidate or an authorized committee/organization of the legally qualified candidate.

The name of the treasurer of the candidate's authorized committee is:


Timothy W. Gupton

This station has disclosed to me its political advertising policies, including: applicable classes and rates; and discount, promotional and other sales practices (not applicable to federal candidates).

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

To Be Signed By Candidate or Authorized Committee

Date

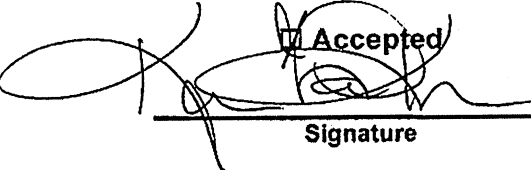

Signature

To Be Signed By Station Representative

☒ Accepted

☐ Accepted in Part

☐ Rejected


Signature

Karen Larkins
Printed Name

NSA
Title

Exh. D

AGREEMENT FORM FOR POLITICAL CANDIDATE ADVERTISEMENTS

(check applicable box)

☒ **FEDERAL CANDIDATE**

☐ **STATE/LOCAL CANDIDATE**

To Avail Themselves Of The Lowest Unit Charge During A Political Window, Federal Candidates Must Sign The Certification On Page 3

| | |
|--|--------------------------|
| Station and Location: WECT Wilmington NC | Date: 10-24-16 |
|--|--------------------------|

I, National Media Research, Planning, and Placement,

being/on behalf of: The Richard Burr Committee,

a legally qualified candidate of the US Senate

political party for the office of: Republican

in the North Carolina Primary

election to be held on: March 15th, 2016

do hereby request station time as follows:

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|--------------|--------------|----------------|-----------------|
| See Schedule | See Schedule | See Schedule | See Schedule | See Schedule | See Schedule |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Attach proposed schedule with charges (if available): \$12,643.75 NET

I represent that the payment for the above described broadcast time has been furnished by:

The Richard Burr Committee

and you are authorized to announce the time as paid for by such person or entity. I represent that this person or entity is either a legally qualified candidate or an authorized committee/organization of the legally qualified candidate.

The name of the treasurer of the candidate's authorized committee is:

Timothy W. Gupton

This station has disclosed to me its political advertising policies, including: applicable classes and rates; and discount, promotional and other sales practices (not applicable to federal candidates).

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

To Be Signed By Candidate or Authorized Committee

16-24-16

Date



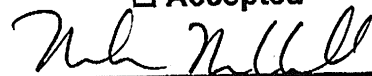
Signature

To Be Signed By Station Representative

☒ Accepted

☐ Accepted in Part

☐ Rejected



Signature

MARK MENDICINO

Printed Name

GM

Title

FEDERAL CANDIDATE CERTIFICATION

In Order For Federal Candidates To Receive The Lowest Unit Charge During A Political Window, The Following Certification Is Required:

I, The Richard Burr Committee

(name of federal candidate or authorized committee) hereby certify that the programming to be broadcast (in whole or in part) pursuant to this agreement:

☒ does

☐ does not

refer to an opposing candidate (check applicable box). I further certify that for the programming that does refer to an opposing candidate:

(check applicable box)

☐ the radio programming contains a personal audio statement by the candidate that identifies the candidate, the office being sought, and that the candidate has approved the broadcast.

☒ the television programming contains a clearly identifiable photograph or similar image of the candidate for a duration of at least four seconds, and a simultaneously displayed printed statement identifying the candidate, that the candidate approved the broadcast, and that the candidate and/or the candidate's authorized committee paid for the broadcast.

Jonathan Ferrell agent for Richard Burr Committee
signature of candidate or authorized committee

JONATHAN FERRELL
printed name

date

AGREEMENT FORM FOR POLITICAL CANDIDATE ADVERTISEMENTS

(check applicable box)

☒ **FEDERAL CANDIDATE**☐ **STATE/LOCAL CANDIDATE**

To Avail Themselves Of The Lowest Unit Charge During A Political Window, Federal Candidates Must Sign The Certification On Page 3

Station and Location:WELT Wilmington NC**Date:**11-2-16I, National Media Research, Planning, and Placement,being/on behalf of: The Richard Burr Committee,a legally qualified candidate of the US Senatepolitical party for the office of: Republicanin the North Carolina General Electionelection to be held on: November 8th, 2016

do hereby request station time as follows:

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|--------------|--------------|----------------|-----------------|
| See Schedule | See Schedule | See Schedule | See Schedule | See Schedule | See Schedule |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Attach proposed schedule with charges (if available): \$ 6417.50 NET

I represent that the payment for the above described broadcast time has been furnished by:

The Richard Burr Committee

and you are authorized to announce the time as paid for by such person or entity. I represent that this person or entity is either a legally qualified candidate or an authorized committee/organization of the legally qualified candidate.


The name of the treasurer of the candidate's authorized committee is:

Timothy W. Gupton

This station has disclosed to me its political advertising policies, including: applicable classes and rates; and discount, promotional and other sales practices (not applicable to federal candidates).

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

To Be Signed By Candidate or Authorized Committee

11-1-16 
Date Signature

To Be Signed By Station Representative

☐ Accepted ☒ Accepted in Part ☐ Rejected

 MARK MENDONHALL GM
Signature Printed Name Title

FEDERAL CANDIDATE CERTIFICATION

In Order For Federal Candidates To Receive The Lowest Unit Charge During A Political Window, The Following Certification Is Required:

I, The Richard Burr Committee

(name of federal candidate or authorized committee) hereby certify that the programming to be broadcast (in whole or in part) pursuant to this agreement:

☐ does

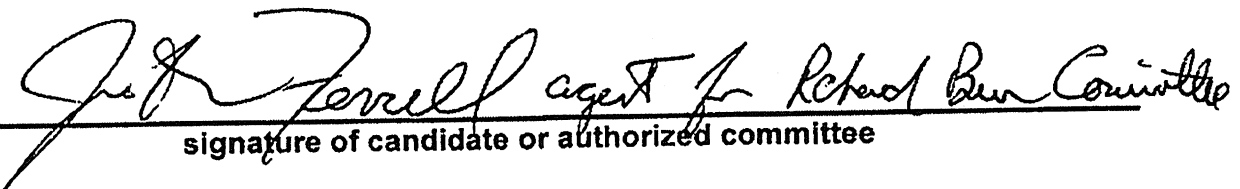
☐ does not

refer to an opposing candidate (check applicable box). I further certify that for the programming that does refer to an opposing candidate:

(check applicable box)

☐ the radio programming contains a personal audio statement by the candidate that identifies the candidate, the office being sought, and that the candidate has approved the broadcast.

☐ the television programming contains a clearly identifiable photograph or similar image of the candidate for a duration of at least four seconds, and a simultaneously displayed printed statement identifying the candidate, that the candidate approved the broadcast, and that the candidate and/or the candidate's authorized committee paid for the broadcast.


signature of candidate or authorized committee

JONATHAN FERRELL
printed name

11-2-16
date

AGREED UPON SCHEDULE

(TO BE FILLED IN ONLY IF STATION DOES NOT ACCEPT ALL OF
CANDIDATE'S REQUEST)

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|------|-------|----------------|-----------------|
| | | | | | |

See Attached

Attach proposed schedule with charges (if available): \$7,550.⁰⁰ Gross

AFTER AIRING OF BROADCASTS:

Attach invoices or Schedule Run Summary to this Form showing:

- 1) actual air time and charges for each spot;
- 2) the date(s), exact time(s) and reason(s) for Make-Good(s), if any; and
- 3) the amount of rebates given (identify exact date, time, class of broadcast and dollar amount for each rebate), if any.

Note: Because the FCC requires that the political file contain the actual times the spots air and the rates charged, that information should be included in the file as soon as possible. If that information is only generated monthly, the file should include the name of a contact person who can provide the times that specific spots aired and the rates charged. The FCC's online political files include a folder for "Terms and Disclosures." NAB suggests that, for stations subject to the online public file rule, the names of contact person(s) be placed in that folder.

(check applicable box)

☐ STATE/LOCAL CANDIDATE

Station and Location:

Date:

9-6-18

do hereby request station time as follows:

Attach proposed schedule with charges (if available):

FEDERAL CANDIDATE CERTIFICATION

In Order For Federal Candidates To Receive The Lowest Unit Charge During A Political Window, The Following Certification Is Required:

I, American Media & Advocacy Group

(name of federal candidate or authorized committee) hereby certify that the programming to be broadcast (in whole or in part) pursuant to this agreement:

☐ does

☒ does not *Current commercial 9/7 JN*

refer to an opposing candidate (check applicable box). I further certify that for the programming that does refer to an opposing candidate:

(check applicable box)

☐ the radio programming contains a personal audio statement by the candidate that identifies the candidate, the office being sought, and that the candidate has approved the broadcast.

☐ the television programming contains a clearly identifiable photograph or similar image of the candidate for a duration of at least four seconds, and a simultaneously displayed printed statement identifying the candidate, that the candidate approved the broadcast, and that the candidate and/or the candidate's authorized committee paid for the broadcast.

Jonathan Ferrell, agent for Josh Hawley for Senate
signature of candidate or authorized committee

JONATHAN FERRELL

printed name

date

AGREED UPON SCHEDULE

(TO BE FILLED IN ONLY IF STATION DOES NOT ACCEPT ALL OF
CANDIDATE'S REQUEST)

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|------|-------|----------------|-----------------|
| | | | | | |

Attach proposed schedule with charges (if available):

AFTER AIRING OF BROADCASTS:

Attach invoices or Schedule Run Summary to this Form showing:

- 1) actual air time and charges for each spot;
- 2) the date(s), exact time(s) and reason(s) for Make-Good(s), if any; and
- 3) the amount of rebates given (identify exact date, time, class of broadcast and dollar amount for each rebate), if any.

Note: Because the FCC requires that the political file contain the actual times the spots air and the rates charged, that information should be included in the file as soon as possible. If that information is only generated monthly, the file should include the name of a contact person who can provide the times that specific spots aired and the rates charged. The FCC's online political files include a folder for "Terms and Disclosures." NAB suggests that, for stations subject to the online public file rule, the names of contact person(s) be placed in that folder.

AGREEMENT FORM FOR NON-CANDIDATE/ISSUE ADVERTISEMENTS

| | | |
|-----------------------|---------------|--------|
| Station and Location: | Pittsburg, KS | Date: |
| KOAM-TV KFJX-TV | Joplin, mo | 9-7-18 |

Red Eagle Media Group

do hereby request station time concerning the following issue:

National Rifle Association Political Victory Fund

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|--------------|--------------|----------------|-----------------|
| See Schedule | See Schedule | See Schedule | See Schedule | See Schedule | See Schedule |

This broadcast time will be used by: NRA-PVF

**THIS PAGE MUST BE COMPLETED FOR PROGRAMMING THAT
"COMMUNICATES A POLITICAL MATTER OF NATIONAL IMPORTANCE."
FOR ALL OTHER ISSUE ADS, PLEASE GO TO PAGE 3.**

Programming that "communicates a political matter of national importance" includes (1) references to legally qualified candidates (presidential, vice presidential or congressional); (2) any election to Federal office (e.g., any references to "our next senator", "our person in Washington" or "the President"); and (3) a national legislative issue of public importance (e.g., Affordable Care Act, revising the IRS tax code, federal gun control or any federal legislation).

Does the programming (in whole or in part) communicate "a message relating to any political matter of national importance?"
☒ Yes ☐ No

For programming that "communicates a message relating to any political matter of national importance," list the name of the legally qualified candidate(s) the programming refers to, the offices being sought, the date(s) of the election(s) and/or the issue to which the communication refers (if applicable):

Missouri General Election

I represent that the payment for the above described broadcast time has been furnished by (name and address):

11250 Waples Mill Road
Fairfax, VA 22030

and you are authorized to announce the time as paid for by such person or entity (hereinafter referred to as the "sponsor").

List the chief executive officers or members of the executive committee or the board of directors below (or attach separately):

Robert G. Owens - Treasurer

For programming that "communicates a message relating to any political matter of national importance," attach Agreed Upon Schedule (Page 5)

**THIS PAGE MUST BE COMPLETED FOR PROGRAMMING THAT
DOES NOT "COMMUNICATE A POLITICAL MATTER OF NATIONAL
IMPORTANCE"**

I represent that the payment for the above described broadcast time has been furnished
by (name and address):

| |
|--|
| |
|--|

and you are authorized to announce the time as paid for by such person or entity
(hereinafter referred to as the "sponsor").

List the chief executive officers or members of the executive committee or the board of
directors below (or attach separately):

| |
|--|
| |
|--|

TO BE COMPLETED FOR ALL ISSUE ADVERTISEMENTS

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

The Sponsor agrees to indemnify and hold harmless the station for any damages or liability, including reasonable attorney's fees, that may ensue from the broadcast of the above-requested advertisement(s). For the above-stated broadcast(s), the sponsor also agrees to prepare a script, transcript, or tape, which will be delivered to the station at least _____ before the time of the scheduled broadcasts.

TO BE SIGNED BY ISSUE ADVERTISER (SPONSOR)

Date

Jonathan Farrell
Signature

Contact Phone Number

TO BE SIGNED BY STATION REPRESENTATIVE

☒ Accepted ☐ Accepted in Part ☐ Rejected

Jill Nelson
Signature

Jill Nelson
Printed Name

Traffic Mgr
Title

Exh. H

#1791124

NAB Form PB-18 Candidates

AGREEMENT FORM FOR POLITICAL CANDIDATE ADVERTISEMENTS

(check applicable box)



FEDERAL CANDIDATE



STATE/LOCAL CANDIDATE

To Avail Themselves Of The Lowest Unit Charge During A Political Window, Federal Candidates Must Sign The Certification On Page 3

Station and Location:

KMBC - Kansas City

Date:

9/24/18

I, American Media & Advocacy Group

being/on behalf of: Josh Hawley for Senate

a legally qualified candidate of the Republican

political party for the office of: U.S. Senate

In the General Election

election to be held on: November 6th, 2018

do hereby request station time as follows:

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|--------------|--------------|----------------|-----------------|
| See Schedule | See Schedule | See Schedule | See Schedule | See Schedule | See Schedule |
| | | | | | |
| | | | | | |

Attach proposed schedule with charges (if available):

I represent that the payment for the above described broadcast time has been furnished by:

American Media & Advocacy Group

and you are authorized to announce the time as paid for by such person or entity. I represent that this person or entity is either a legally qualified candidate or an authorized committee/organization of the legally qualified candidate.

The name of the treasurer of the candidate's authorized committee is:

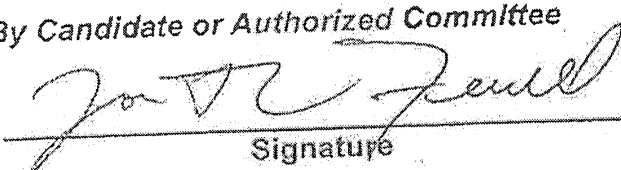
Salvatore Purpura

This station has disclosed to me its political advertising policies, including: applicable classes and rates; and discount, promotional and other sales practices (not applicable to federal candidates).

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

To Be Signed By Candidate or Authorized Committee

Date


Signature

To Be Signed By Station Representative

☒ Accepted

☐ Accepted in Part

☐ Rejected


Signature

SCOTT LASITER
Printed Name

NSM
Title

FEDERAL CANDIDATE CERTIFICATION

In Order For Federal Candidates To Receive The Lowest Unit Charge During A Political Window, The Following Certification Is Required:

I, American Media & Advocacy Group

(name of federal candidate or authorized committee) hereby certify that the programming to be broadcast (in whole or in part) pursuant to this agreement:

☒ does

☐ does not

refer to an opposing candidate (check applicable box). I further certify that for the programming that does refer to an opposing candidate:

(check applicable box)

☐ the radio programming contains a personal audio statement by the candidate that identifies the candidate, the office being sought, and that the candidate has approved the broadcast.

☒ the television programming contains a clearly identifiable photograph or similar image of the candidate for a duration of at least four seconds, and a simultaneously displayed printed statement identifying the candidate, that the candidate approved the broadcast, and that the candidate and/or the candidate's authorized committee paid for the broadcast.

Jon Ferrell, agent for Just Accountability Services
signature of candidate or authorized committee

Jon Ferrell

printed name

date

Exh. I

NAB Form PB-18 Issues

#1786903

AGREEMENT FORM FOR NON-CANDIDATE/ISSUE ADVERTISEMENTS

| | |
|--|-------------------------|
| Station and Location: KMBL - Kansas City | Date: 10/4/18 |
|--|-------------------------|

I, Red Eagle Media Group

do hereby request station time concerning the following issue:

Claire McGaskrill sided with the left all 4 times on Supreme Court Justices. Viewers are encouraged to vote for Josh Hawley for Senate.

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|--------------|--------------|----------------|-----------------|
| See Schedule | See Schedule | See Schedule | See Schedule | See Schedule | See Schedule |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

This broadcast time will be used by: NRA-PVF

**THIS PAGE MUST BE COMPLETED FOR PROGRAMMING THAT
"COMMUNICATES A POLITICAL MATTER OF NATIONAL IMPORTANCE."
FOR ALL OTHER ISSUE ADS, PLEASE GO TO PAGE 3.**

Programming that "communicates a political matter of national importance" includes (1) references to legally qualified candidates (presidential, vice presidential or congressional); (2) any election to Federal office (e.g., any references to "our next senator", "our person in Washington" or "the President"); and (3) a national legislative issue of public importance (e.g., Affordable Care Act, revising the IRS tax code, federal gun control or any federal legislation).

Does the programming (in whole or in part) communicate "a message relating to any political matter of national importance?"

☒ Yes

☐ No

For programming that "communicates a message relating to any political matter of national importance," list the name of the legally qualified candidate(s) the programming refers to, the offices being sought, the date(s) of the election(s) and/or the issue to which the communication refers (if applicable):

Claine McCaskill & Josh Hawley - U.S. Senate
General Election 11/6/18

I represent that the payment for the above described broadcast time has been furnished by (name and address):

11250 Waples Mill Road
Fairfax, VA 22030

and you are authorized to announce the time as paid for by such person or entity (hereinafter referred to as the "sponsor").

List the chief executive officers or members of the executive committee or the board of directors below (or attach separately):

Robert G. Owens - Treasurer
Chris Cox - Chairman

For programming that "communicates a message relating to any political matter of national importance," attach Agreed Upon Schedule (Page 5)

TO BE COMPLETED FOR ALL ISSUE ADVERTISEMENTS

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

The Sponsor agrees to indemnify and hold harmless the station for any damages or liability, including reasonable attorney's fees, that may ensue from the broadcast of the above-requested advertisement(s). **For the above-stated broadcast(s), the sponsor also agrees to prepare a script, transcript, or tape, which will be delivered to the station at least _____ before the time of the scheduled broadcasts.**

TO BE SIGNED BY ISSUE ADVERTISER (SPONSOR)

09/6/18 _____
Date Signature Contact Phone Number

TO BE SIGNED BY STATION REPRESENTATIVE

☒ Accepted ☐ Accepted in Part ☐ Rejected
Signature Printed Name Title

AGREEMENT FORM FOR NON-CANDIDATE/ISSUE ADVERTISEMENTS

| | |
|---|------------------------|
| Station and Location: KULZ-TV, Billings, MT | Date: 9/4/18 |
|---|------------------------|

I, Red Eagle Media Group
do hereby request station time concerning the following issue:

| |
|--|
| National Rifle Association for American - Institute for Legislative Action |
|--|

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|--------------|--------------|----------------|-----------------|
| See schedule | see schedule | see schedule | see schedule | see schedule | see schedule |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

This broadcast time will be used by: NRA-ILA

**THIS PAGE MUST BE COMPLETED FOR PROGRAMMING THAT
"COMMUNICATES A POLITICAL MATTER OF NATIONAL IMPORTANCE."
FOR ALL OTHER ISSUE ADS, PLEASE GO TO PAGE 3.**

Programming that "communicates a political matter of national importance" includes (1) references to legally qualified candidates (presidential, vice presidential or congressional); (2) any election to Federal office (e.g., any references to "our next senator", "our person in Washington" or "the President"); and (3) a national legislative issue of public importance (e.g., Affordable Care Act, revising the IRS tax code, federal gun control or any federal legislation).

Does the programming (in whole or in part) communicate "a message relating to any political matter of national importance?"
☐ Yes ☒ No

For programming that "communicates a message relating to any political matter of national importance," list the name of the legally qualified candidate(s) the programming refers to, the offices being sought, the date(s) of the election(s) and/or the issue to which the communication refers (if applicable):

I represent that the payment for the above described broadcast time has been furnished by (name and address):

and you are authorized to announce the time as paid for by such person or entity (hereinafter referred to as the "sponsor").

List the chief executive officers or members of the executive committee or the board of directors below (or attach separately):

For programming that "communicates a message relating to any political matter of national importance," attach Agreed Upon Schedule (Page 5)

**THIS PAGE MUST BE COMPLETED FOR PROGRAMMING THAT
DOES NOT "COMMUNICATE A POLITICAL MATTER OF NATIONAL
IMPORTANCE"**

I represent that the payment for the above described broadcast time has been furnished
by (name and address):

NATIONAL RIFLE ASSOCIATION OF AMERICAN INSTITUTE FOR LEGISLATIVE ACTION
11250 WAPLES MILL ROAD,
FAIRFAX, VA 22030

and you are authorized to announce the time as paid for by such person or entity
(hereinafter referred to as the "sponsor").

List the chief executive officers or members of the executive committee or the board of
directors below (or attach separately):


TREASURER- Mary Rose Adkins

TO BE COMPLETED FOR ALL ISSUE ADVERTISEMENTS

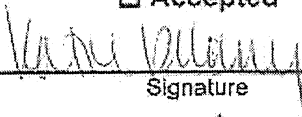
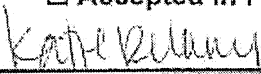

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

The Sponsor agrees to indemnify and hold harmless the station for any damages or liability, including reasonable attorney's fees, that may ensue from the broadcast of the above-requested advertisement(s). For the above-stated broadcast(s), the sponsor also agrees to prepare a script, transcript, or tape, which will be delivered to the station at least _____ before the time of the scheduled broadcasts.

TO BE SIGNED BY ISSUE ADVERTISER (SPONSOR)

| | | |
|---------------|---|-------------------------------|
| _____ Date |  Signature | _____ Contact Phone Number |
|---------------|---|-------------------------------|

TO BE SIGNED BY STATION REPRESENTATIVE

| | | |
|--|---|--|
| <input checked="" type="checkbox"/> Accepted | <input type="checkbox"/> Accepted in Part | <input type="checkbox"/> Rejected |
|  Signature |  Printed Name |  Title |

AGREED UPON SCHEDULE

For All Issue Advertisements That Communicate a Message Relating to Any Political Matter of National Importance

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|------|-------|----------------|-----------------|
| | | | | | |

Attach proposed schedule with charges (if available):

AFTER AIRING OF BROADCASTS:

Attach Invoices or Schedule Run Summary to this Form showing:

- (1) actual air time and charges for each spot;
- (2) the date(s), exact time(s) and reason(s) for Make-Good(s), if any; and
- (3) the amount of rebates given (identify exact date, time, class of broadcast and dollar amount for each rebate), if any.

Note: Because the FCC requires that the political file contain the actual time the rate for spots "communicating a political matter of national importance" air, that information should be included in the file as soon as possible. If that information is only generated monthly, the file should include the name of a contact person who can provide the times that and rates for specific spots aired. The FCC's online political files include a folder for "Terms and Disclosures." NAB suggests that, for stations subject to the online public file rule, the names of contact person(s) be placed in that folder.

BCRA POLITICAL RECORD

This Political Record is required by the Bipartisan Campaign Reform Act of 2002 (BCRA) to be completed every time a request is made to purchase broadcast time that (1) is made by or on behalf of a legally qualified candidate for public office, or (2) communicates a message relating to any political matter of national importance, including a legally qualified candidate, any election to federal office, or a national legislative issue of public importance. Once completed, the Political Record must be placed in the station's local public inspection file and must be retained for two years.

| | | | |
|--------------------|--|-----------------|-------------------------------------|
| This Record is for | <input type="checkbox"/> a candidate request | The request was | <input type="checkbox"/> accepted # |
| | <input type="checkbox"/> an election message request * | | <input type="checkbox"/> rejected |
| | <input checked="" type="checkbox"/> an issue request * | | |

Candidate Named in Message:

John Tester

Office Being Sought:

N/A

Election or Issue Referred to:

Senate

Sponsor (or authorized candidate committee):

POL/NRA-TLA

Treasurer of authorized candidate committee:

Mary Rose Adkins

Person Ordering Advertising:

Red Eagle Media Group

* An "election message request" is a request made by anyone to broadcast a message that refers either to a legally qualified candidate or to any election to federal office.

An "issue request" is a message related to a national legislative issue of public importance or a political matter of national importance.

If the request is accepted, attach the sales order showing the rate charged, the date(s) and time(s) the message is aired, and the class of time purchased. For an issue request, also attach the name, address, and phone number of a contact person, and a list of the chief executive officers or members of the executive committee or of the board of directors of the sponsor.

Exh. K

**AGREEMENT FORM FOR
POLITICAL CANDIDATE ADVERTISEMENTS**

(check applicable box)

☒ **FEDERAL CANDIDATE**

☐ **STATE/LOCAL CANDIDATE**

To Avail Themselves Of The Lowest Unit Charge During A Political Window, Federal Candidates Must Sign The Certification On Page 3

| | |
|---|-------------------------|
| Station and Location: KULR-TV, Billings, MT | Date: 9/11/18 |
|---|-------------------------|

I, American Media & Advocacy Group,

being/on behalf of: Matt Rosendale for Montana,

a legally qualified candidate of the Republican

political party for the office of: U.S. Senator for Montana

in the General

election to be held on: November 6, 2018

do hereby request station time as follows:

| Broadcast Length | Time of Day, Rotation or Package | Days | Class | Times per Week | Number of Weeks |
|------------------|----------------------------------|------|-------|----------------|-----------------|
| | | | | | |

Attach proposed schedule with charges (if available):

I represent that the payment for the above described broadcast time has been furnished by:

American Media & Advocacy Group

and you are authorized to announce the time as paid for by such person or entity. I represent that this person or entity is either a legally qualified candidate or an authorized committee/organization of the legally qualified candidate.

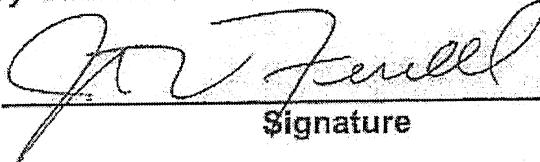
The name of the treasurer of the candidate's authorized committee is:

Errol Galt

This station has disclosed to me its political advertising policies, including: applicable classes and rates; and discount, promotional and other sales practices (not applicable to federal candidates).

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

To Be Signed By Candidate or Authorized Committee

| | |
|------|---|
| |  |
| Date | Signature |

To Be Signed By Station Representative

| | | |
|--|--|---|
| <input checked="" type="checkbox"/> Accepted  Signature | <input type="checkbox"/> Accepted in Part <u>Katie Delany</u> Printed Name | <input type="checkbox"/> Rejected <u>MM</u> Title |
|--|--|---|

FEDERAL CANDIDATE CERTIFICATION

In Order For Federal Candidates To Receive The Lowest Unit Charge During A Political Window, The Following Certification Is Required:

I, American Media & Advocacy Group

(name of federal candidate or authorized committee) hereby certify that the programming to be broadcast (in whole or in part) pursuant to this agreement:

☐ does

☐ does not

refer to an opposing candidate (check applicable box). I further certify that for the programming that does refer to an opposing candidate:

(check applicable box)

☐ the radio programming contains a personal audio statement by the candidate that identifies the candidate, the office being sought, and that the candidate has approved the broadcast.

☒ the television programming contains a clearly identifiable photograph or similar image of the candidate for a duration of at least four seconds, and a simultaneously displayed printed statement identifying the candidate, that the candidate approved the broadcast, and that the candidate and/or the candidate's authorized committee paid for the broadcast.

Jon Ferrell agent for Matt Roseendale & Mortara
signature of candidate or authorized committee

Jon FERRELL
printed name

date

ATTACHMENT F

BCRA POLITICAL RECORD

This Political Record is required by the Bipartisan Campaign Reform Act of 2002 (BCRA) to be completed every time a request is made to purchase broadcast time that (1) is made by or on behalf of a legally qualified candidate for public office, or (2) communicates a message relating to any political matter of national importance, including a legally qualified candidate, any election to federal office, or a national legislative issue of public importance. Once completed, the Political Record must be placed in the station's local public inspection file and must be retained for two years.

| | | | |
|--------------------|---|-----------------|--|
| This Record is for | <input checked="" type="checkbox"/> a candidate request | The request was | <input checked="" type="checkbox"/> accepted # |
| | <input type="checkbox"/> an election message request * | | <input type="checkbox"/> rejected |
| | <input type="checkbox"/> an issue request * | | |

Candidate Named in Message:

Matt Rosendale

Office Being Sought:

US. Senate

Election or Issue Referred to:

National Spending

Sponsor (or authorized candidate committee):

POL/Rosendale for Senate

Treasurer of authorized candidate committee:

Errol Galt

Person Ordering Advertising:

American Media Advocacy Group

* An "election message request" is a request made by anyone to broadcast a message that refers either to a legally qualified candidate or to any election to federal office.

An "issue request" is a message related to a national legislative issue of public importance or a political matter of national importance.

If the request is accepted, attach the sales order showing the rate charged, the date(s) and time(s) the message is aired, and the class of time purchased. For an issue request, also attach the name, address, and phone number of a contact person, and a list of the chief executive officers or members of the executive committee or of the board of directors of the sponsor.